AO 472 (Rev. 11/16) Order of Detention Pending Trial

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United S'	TATES DISTRICT C	UNITED STATES DISTRICT COURT OURAS CRUCES, NEW MEXICO
	for the	NOV 18 2022
	District of New Mexico	MITCHELL R. ELFERS
United States of America	)	CLERK OF COURT
<b>V.</b>	)	
	) Case No. 22-1734 MJ	
JOSEPH CRUTCHER	)	
Defendant	)	

## ORDER OF DETENTION PENDING TRIAL

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B. Rebuttable Presumption Arises Under 18 U.S.C. § 3142(e)(3) (narcotics, firearm, other offenses): There is a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because there is probable cause to believe that the defendant committed one or more of the following offenses:	
<ul> <li>□ (1) an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (21 U.S.C. §§ 801-904), the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971), or Chapter 705 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508);</li> <li>□ (2) an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;</li> </ul>	
(3) an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for which a maximum term of imprisonment of 10 years or more is prescribed;	
(4) an offense under Chapter 77 of Title 18, U.S.C. (18 U.S.C. §§ 1581-1597) for which a maximum term of imprisonment of 20 years or more is prescribed; or	
(5) an offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425.	
C. Conclusions Regarding Applicability of Any Presumption Established Above	
The defendant has not introduced sufficient evidence to rebut the presumption above, and detention is ordered on that basis. (Part III need not be completed.)	
OR	
☐ The defendant has presented evidence sufficient to rebut the presumption, but after considering the presumption and the other factors discussed below, detention is warranted.	
Part III - Analysis and Statement of the Reasons for Detention	
After considering the factors set forth in 18 U.S.C. § 3142(g) and the information presented at the detention hearing, the Court concludes that the defendant must be detained pending trial because the Government has proven:	
By clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community.	
By a preponderance of evidence that no condition or combination of conditions of release will reasonably assure the defendant's appearance as required.	
In addition to any findings made on the record at the hearing, the reasons for detention include the following:	
Weight of evidence against the defendant is strong  Subject to lengthy period of incarceration if convicted  Prior criminal history	
Participation in criminal activity while on probation, parole, or supervision	
History of violence or use of weapons	
History of alcohol or substance abuse - and icasted by Briggs drye changes and	
History of alcohol or substance abuse - indicated by priors drug changes and  Lack of stable employment convictions.	
☐ Lack of stable residence	
Lack of financially responsible sureties	
Lack of significant community or family ties to this district	

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Significant family or other ties outside the United States
Lack of legal status in the United States
☐ Subject to removal or deportation after serving any period of incarceration
Prior failure to appear in court as ordered
Prior attempt(s) to evade law enforcement
Use of alias(es) or false documents
Background information unknown or unverified - Defendant was Not INterviewed
Prior violations of probation, parole, or supervised release at the direction of the
Use of alias(es) or false documents  Background information unknown or unverified - Defendant was Not interviewed  Prior violations of probation, parole, or supervised release at the direction of forestone.  OTHER REASONS OR FURTHER EXPLANATION:
1. The Defendant waived the holding of a detention hearing.

## Part IV - Directions Regarding Detention

The defendant is remanded to the custody of the Attorney General or to the Attorney General's designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant must be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date: 11-18-2022

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nited States Magistrate Judge